

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

NATHANIEL BONTY,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-06-698-F
)	
)	
LT. PLASTER, et al.,)	
)	
Defendants.)	

ORDER


On January 11, 2007, plaintiff filed a Motion for Default Judgment Against Defendant Bryant Pursuant to LCvR (sic) Rule 55 (doc. no. 31). Subsequently, on January 26, 2007, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation on Motion for a Default Judgment (doc. no. 35). In his report, Magistrate Judge Bacharach recommended the court deny plaintiff's motion on the basis that plaintiff's service of process upon defendant Bryant was invalid.

Presently before the court is plaintiff's Motion for Extension of Time to File Dispositive Motions and Objection to Report and Recommendation on Motion for a Default Judgment (doc. no. 36). At the outset, the court declines to address plaintiff's motion. Magistrate Judge Bacharach set the deadline for filing dispositive motions. The motions are currently due February 15, 2007 (doc. no. 27). As this case remains referred to Magistrate Judge Bacharach, the court concludes that plaintiff's request for an extension of time to file dispositive motions should be considered and addressed by Magistrate Judge Bacharach.

As to plaintiff's objection to Magistrate Judge Bacharach's report and recommendation, the court, pursuant to 28 U.S.C. § 636(b)(1), has conducted a *de novo* review of the matter. Having done so, the court concurs with Magistrate Judge Bacharach's recommendation that plaintiff's motion for default judgment should be denied. The court finds plaintiff's objection to be without merit. The court therefore accepts, adopts, and affirms the report and recommendation in its entirety.

Accordingly, the Report and Recommendation on Motion for a Default Judgment issued by United States Magistrate Judge Robert E. Bacharach on January 26, 2007 (doc. no. 35) is **ACCEPTED, ADOPTED, and AFFIRMED**. Plaintiff's Motion for Default Judgment Against Defendant Bryant Pursuant to LCvR (sic) Rule 55, filed January 11, 2007 (doc. no. 31), is **DENIED**. Plaintiff's Motion for Extension of Time to File Dispositive Motions, filed February 12, 2007 (doc. no. 36), remains pending for Magistrate Judge Bacharach's consideration.

DATED February 14, 2007.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE